

**Town of Somers**  
**Annual Town Meeting**  
**Tuesday, May 08, 2012**  
**7:00 pm**

Notice is hereby given that the Annual Town Meeting to act on the following items will be held on Tuesday, May 08, 2012 at 7:00 pm in the Town Hall Auditorium.

1. To elect a moderator
2. To consider the annual budget for 2012-13 fiscal year as proposed by the Board of Finance, consisting of total revenues and expenditures of \$29,241,201.00.
3. To discontinue in its entirety the road known as Old Hampden Road
4. To set the date, time and place for the referendum by optical scan voting on the question of adopting the annual budget as proposed, selectmen recommending the referendum be conducted on May 22, 2012 between the hours of 6:00 am and 8:00 pm at the Town hall Auditorium
- 5.

Dated at Somers, Connecticut this 26<sup>th</sup> day of April, 2012.

**Board of Selectmen**

Lisa Pellegrini, First Selectman

Kathy A. Devlin, Selectman

Clyde G. Knorr, Selectman

Publication Date: Tuesday, May 01, 2012

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I, Ann Marie Logan, Town Clerk of the Town of Somers, certify that the foregoing is a true and accurate copy of the notice that was duly posted and advertised.

Attest: Ann Marie Logan

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**Annual Town Meeting Minutes**

May 08, 2012

Somers Town Hall Auditorium

First Selectman, Lisa Pellegrini requested that the Legal Notice for the Annual Town Meeting be read by Town Clerk, Ann Marie Logan. There were approximately 75 individuals in attendance.

**a. Elect a Moderator**

A motion was made by B.Devlin, seconded by B.Knorr and unanimously voted to elect Lisa Pellegrini as the Moderator of the Annual Town Meeting.

**b. Consider the annual budget for 2012-2013 fiscal year consisting of total revenues and expenditures of \$29,241,201.00.**

A motion was made by A.Kirkpatrick, seconded by B.Knorr – Discussion:

S.Krasinski motioned, which was seconded to amend the original motion to add ‘which may equal a one mil increase’.

T.Geib – stated the question as amended is not the standard which has been put forth previously

S.Krasinski – noted that last year, the budget flyer distributed to households indicated a one-half mil increase and after the public hearing, prior to referendum, increased the budget to a one mil increase

D.Thayer – there should be publicity prior to referendum advertising that residents are voting on the dollar number which may equal a one mil increase

K.Devlin – stated that the current dollar amount proposed would represent a one mil increase

T.Geib – stated that he agreed that the public should know now what they are voting on and what it represents

A motion was made and seconded to vote on the motion as amended. All opposed, none in favor

A motion was made and seconded to vote on the original motion – All in favor, none opposed

**c. Discontinuance of Old Hampden Road in its Entirety**

A motion was made by B.Devlin, seconded by D.Pinney – Discussion:

**Atty J.Parks** – asked the First Selectman why the town is taking this action

**L.Pellegrini** – there are no homes on this road and it is a liability to the town

**Atty Parks** –

a. pulled 11 assessor property cards of individuals who own property on Old Hampden Road and pay taxes to the Town of Somers

b. how can you deny access to frontage on a town owned road should the property owners decide to build a home

c. the value of the property is destroyed

d. the property owners will be hindered in the access to their property

e. what ability or mechanism would the property owners have to build a home without frontage on a town owned roadway which is required by town regulations

f. their ability to access their property in the winter would be restricted since the town would stop maintaining the roadway

g. can one town eliminate the access to another town and what about emergency vehicles

h. why wasn’t the property owners notified of the town of Somers decision to discontinue

**L.Pellegrini**

- a. the town legally noticed the meeting in the newspaper and was not required to notify individual property owners or surrounding town staff
- b. the property owners would have the ability to apply to the Zoning Board of Appeals to obtain a variance
- c. the roadway is not being blocked with a barricade so that travel could continue on the roadway
- d. confidence in the ZBA that the variance would be granted

**Atty Parks**

- a. there is no authority granted the first selectmen to answer on behalf of the ZBA and make the statement that the variance would be granted
- b. what if the variance was denied – the property owners have been paying taxes to Somers and are now unable to build a home because of the road discontinuance and the regulations
- c. what remedy would the property owners then have to build
- d. there was a 2010 ruling against the town of Hebron for denying access from one town to another state

**M.Morgan**

- a. owner of property located at 80 Hampden Road purchased property several years ago and have since been paying full taxes to the town of Somers
- b. has spoken with both S.Jacobs and D.Askew concerning her property and the prospect of eventually building on the land
- c. is not expecting the roadway to be paved – requesting maintenance of grading, plowing, etc so that her access may continue and eventually her house will be built
- d. very disappointed that the property owners were not notified individually, or that the neighboring town was not notified

**R.Morton**

- a. no notifications were sent to Hampden, MA
- b. the town of Somers decision would affect approximately 50-60 homes on South Road in Hampden, MA
- c. by this discontinuance, the town would be creating a 2.5 mi. dead end roadway which could potentially create a safety hazard
- d. how can the town classify this discontinuance as a ‘housekeeping’ issue

**D.Kibbe**

- a. why was not a notification sent to these individuals
- b. learned of this potential closure last night

**Wilson**

- a. why should these property owners continue to pay taxes if they will not have the ability to meet the regulations of Somers for building a home

A motion was made by D.Pinney, seconded by J.Parks that this item be tabled to a future town meeting when town officials are more prepared to answer questions from property owners and residents. Vote on motion: 1 opposed and all others in favor. Motion to table passed.

d. **Set the Date, time and place for a referendum by optical scan voting on adopting annual budget as proposed and be conducted on May 22, 2012 between the hours of 6:00 am and 8:00 pm at the Town Hall Auditorium**

A motion was made by K.Devlin, seconded by D.Reed and unanimously voted to adjourn the annual town meeting to a vote by optical scan on the proposed 2012-13 proposed budget as recommended by the Board of Finance on May 22, 2012 from 6:00 am to 8:00 pm.

A motion was made by K.Devlin, seconded by D.Reed and unanimously voted to adjourn the Annual Town Meeting of May 08, 2012 at approximately 7:37 pm

Respectfully submitted:

Ann Marie Logan  
Town Clerk  
Town of Somers